

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 822

Introduced by Natural Resources Committee:
Schrock, 38, Chairperson; Bohlke, 33; Bromm, 23;
Hudkins, 21; Jones, 43; Preister, 5; Stuhr, 24

Read first time January 20, 1999

Committee: Natural Resources

A BILL

- 1 FOR AN ACT relating to the Livestock Waste Management Act; to amend
- 2 section 54-2404, Reissue Revised Statutes of Nebraska; to
- 3 prohibit waste control facilities in certain watersheds;
- 4 and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 54-2404, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 54-2404. (1) When there is a potential for discharge
4 into waters of the state, as determined by the department:

5 (a) No person shall construct a livestock waste control
6 facility without first obtaining a construction permit from the
7 department; and

8 (b) No person shall operate a livestock waste control
9 facility without an operating permit or interim use authorization
10 from the department.

11 (2) Livestock waste control facilities shall be
12 classified according to the maximum number of animal units for
13 which the livestock waste control facility is designed. The
14 council, in adopting rules and regulations under section 54-2413,
15 shall set out the requirements for any livestock waste control
16 facility which is reclassified after permit issuance.
17 Classifications shall be as follows:

18 (a) A class I livestock waste control facility is
19 designed for one thousand or less animal units;

20 (b) A class II livestock waste control facility is
21 designed for more than one thousand and five thousand or less
22 animal units;

23 (c) A class III livestock waste control facility is
24 designed for more than five thousand animal units and twenty
25 thousand or less animal units; and

26 (d) A class IV livestock waste control facility is
27 designed for more than twenty thousand animal units.

28 (3) No class II, class III, or class IV livestock waste

1 control facility shall be permitted in any part of a watershed that
2 feeds into a cold water class A stream, as defined by the
3 Department of Environmental Quality for trout streams.

4 Sec. 2. Original section 54-2404, Reissue Revised
5 Statutes of Nebraska, is repealed.